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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,542	03/31/2006	Hartmut Breithaupt	BREI3003/FJD	4804
23364	7590	11/23/2010		
BACON & THOMAS, PLLC			EXAMINER	
625 SLATERS LANE			NIESZ, JASON KAROL	
FOURTH FLOOR				
ALEXANDRIA, VA 22314-1176			ART UNIT	PAPER NUMBER
			3751	
			MAIL DATE	DELIVERY MODE
			11/23/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Abandonment	Application No.	Applicant(s)	
	10/537,542	BREITHAUPT, HARTMUT	
	Examiner	Art Unit	
JASON K. NIESZ			
3751			
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--</i>			
This application is abandoned in view of:			
1. <input checked="" type="checkbox"/> Applicant's failure to timely file a proper reply to the Office letter mailed on <u>07 April 2010</u> .			
(a) <input type="checkbox"/> A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.			
(b) <input checked="" type="checkbox"/> A proposed reply was received on <u>08/24/2010</u> , but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.			
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).			
(c) <input type="checkbox"/> A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).			
(d) <input type="checkbox"/> No reply has been received.			
2. <input type="checkbox"/> Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).			
(a) <input type="checkbox"/> The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).			
(b) <input type="checkbox"/> The submitted fee of \$_____ is insufficient. A balance of \$_____ is due. The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.			
(c) <input type="checkbox"/> The issue fee and publication fee, if applicable, has not been received.			
3. <input type="checkbox"/> Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).			
(a) <input type="checkbox"/> Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.			
(b) <input type="checkbox"/> No corrected drawings have been received.			
4. <input type="checkbox"/> The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.			
5. <input type="checkbox"/> The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.			
6. <input type="checkbox"/> The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.			
7. <input type="checkbox"/> The reason(s) below:			

/Timothy L Maust/
Primary Examiner, Art Unit 3751

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.